

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT
APPLICATION

In re: PATENT APPLICATION of:

Inventor(s): Kreutzer et al.

Appln. No.: 09 810,521

Series Code ↑ Serial No. ↑

Filed: March 19, 2001

Title: L-LYSINE-PRODUCING
CORYNEBACTERIA AND PROCESS FOR
THE PREPARATION OF LYSINE

Mail Stop RCE

Hon. Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Sir:

Group Art Unit 1652

Examiner: Steadman, D.

Atty. Dkt. P 0278416

980183BT-US-B

M#

Client Ref

R
RCE
EDO NOT USE FOR PROVISIONAL,
DIVISIONAL, CIP OR DESIGN
APPLICATIONS, OR REEXAMINATION OF
PATENTS

Date: May 15, 2003

05/16/2003 SSESHE1 00000034 033975 09810521

01 FC:1801 750.00 CH
02 FC:1253 820.00 CH**REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER RULE 114**

Please continue the examination of this application.

PREREQUISITES

This application was filed on/after June 8, 1995, is not abandoned, and no court action has been filed, or if filed, it has been terminated.

An issue fee **has not been** paid (unless a petition under Rule 313(c)(2) is also being filed -- see item 4 below).**Prosecution has been closed as defined in Rule 114(b).****Reply to any outstanding action must be enclosed or previously filed.**

This application is entitled under Rule 114 to withdrawal of any outstanding finality or of any allowance plus a new action by the Examiner. Consideration on the merits of each submission (e.g., IDS, Amendment, new arguments, new evidence, but not appeal/reply briefs themselves) filed herewith is respectfully requested.

Please consider the following before the next Official Action:

1. Please ☒ enter ☐ do not enter the Amendment filed March 19, 2003
2. ☐ The enclosed new Amendment
3. ☐ Consider the arguments in the appeal brief filed _____ and reply brief filed _____
4. ☐ The issue fee has been paid, but this RCE is based on Rule 313(c)(2). See enclosed petition.
5. ☐ The enclosed Information Disclosure Statement
 - ☐ IDS Letter ☐ Cited Appln ☐ Foreign Search Report/OA
 - ☐ PTO-1449 ☐ Cited Documents
6. ☐ Please suspend action under Rule 103(c) for a period of _____ months (3 mos. Max) for which charge the required \$130 fee (fee code 098) to our Deposit Account (see below).
7. Petition is hereby made to extend the original due date of _____ to cover the _____ (1 mo) \$110/\$55
date this Request is filed. **PLEASE CHARGE** the requisite fee to our Deposit (2 mos) \$410/\$205 + 0
Account (see below) (3 mos) \$930/\$465
8. **PLEASE CHARGE** the Rule 17(e) (RCE) filing fee of ☒ \$750 (lg. ent.) ☐ \$375 (sm. ent.) plus any deficiency and any other fee due now or later to our Deposit Account No. 03-3975 under Order No. 021123 / 0278416

C# M#

NOTE: Rule 17(e) filing fee Cannot be deferred!
NO CLAIMS FEE REQUIRED unless you are adding claims by box 2 Amendment in which case cover this with PAT-120.Pillsbury Winthrop LLP
Intellectual Property GroupP.O. Box 10500
McLean, VA 22102

By Atty: Thomas A. Cawley, Jr.

Reg. No. 40944

(703) 905-2000
Atty/Sec: TACJ/AMX

Sig:

Fax: (703) 905-2500

Tel: (703) 905-2144

NOTE: File this Request (plus enclosures, if any) in duplicate and with PTO receipt (PAT-103A)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): Kreutzer et al.

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Group Art 1652

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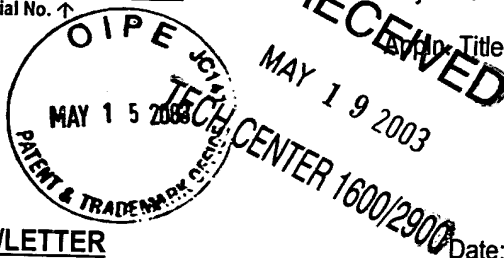
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App. Title:

L-LYSINE-PRODUCING
CORYNEBACTERIA AND PROCESS
FOR THE PREPARATION OF LYSINE

Sir:

REPLY/AMENDMENT/LETTER

Date: May 15, 2003

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim

A. ☒ NOT madeB. ☐ WithdrawnC. ☐ made herewithD. ☐ made previously

For B & C
See **Required**
Separate Paper
(Pat-256)

Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	**minus 0	0	x \$18/\$9 =	+ \$0	103/203
3. Independent Claims	***minus 0	0	x \$84/\$42 =	+ \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)			add	+ \$280/\$140 =	+ \$0 104/204
5. Original due Date: February 19, 2003		<input type="checkbox"/> NONE			
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo) \$110/\$55 = (2 mos) \$410/\$205 = (3 mos) \$930/\$465 = (4 mos) \$1,450/\$725 = (5 mos) \$1,970/\$985 =	+ \$930		115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract			- \$110		
8.			Extension Fee		+ \$820
9. If Terminal Disclaimer attached, add Rule 20(d) official fee			+ \$110/\$55		+ \$0 148/248
10. If IDS attached requires Official Fee under Rule 97 (c), add			+ \$180		+ \$0 126
or if Rule 97(d) Request add			+ \$180		+ \$0 126
11. After-Final Request Fee per rules 129(a) and 17(r)			+ \$750/370		+ \$0 146/246
12. No. of additional inventions for examination per Rule 129(b)			x \$750/375 ea		+ \$0 149/249
13. Request for Continued Examination (RCE)			+ \$750/375		+ \$0 1179/1279
14. Petition fee for					+ \$0
15.			TOTAL FEE =		\$820

**PLEASE CHARGE
OUR DEP. ACCT**

Our Deposit Account No. 03-3975)

(Our Order No. 021123

0278416

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CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP

Intellectual Property Group

By Atty: Thomas A. Cawley, Jr.

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NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments